

Plaintiffs' Supplemental Exhibit 94

Investigative Memorandum: App Developer Background – Zynga Inc.

TO:	Gibson Dunn & Crutcher LLP
FROM:	Stroz Friedberg
DATE:	June 22, 2018
RE: ZYNGA APPS	Blackjack (5803363687) Bubble Safari (164731003644283) Bubble Safari Ocean (502072116492610) Café World (101539264719) CoasterVille (446806932006133) Crazy Cake Swap (463679737112949) Dope Wars (6657868731) Empires & Allies (164285363593426) FarmVille (330651527702) FrontierVille (149707305074371) Mafia Wars 2 (121581087940710) Pioneer Trail (266989143414) Pirates Rule the Caribbean! (16421175101) Puzzle Charms (119749381558970) Roller Coaster Kingdom (89771452035) Scramble (6494671374) Treasure Isle (124587080915434)
APP TYPE:	Gaming apps

Executive Summary

Blackjack

- **Developer Name:** Jason Orcutt, Zynga, Inc.

Privileged and Confidential – A/C Privileged – Attorney Work Product

- **Reason for Escalation:** This app was flagged by ALT for possible privacy policy concerns, “Generally flagging for the Zynga privacy policy, including data collection of “the user ID number and other public data for your friends.”
- **App Status:** Active
- **Preliminary Recommendation:** RFI, Advanced Technical App Review
- **Reason for Preliminary Recommendation:** Zynga Privacy Policy indicates that Zynga shares social network ID and other personal information with third parties, including advertisers, a possible violation of the Facebook Developer Platform Policy. Zynga’s use, transfer, and disclosure of user and friends’ data has been the subject of media coverage and litigation.¹ In addition, there was a 2016 data breach involving the theft of data from Zynga by former employees.²

Background Summary

- **App Description:** This app was a version of the casino card game Blackjack. According to ALT, the game launched on Facebook on September 10, 2007, but is no longer available.³ The Blackjack app only had approximately 31 users in the past month.
- **Graph v.1.0?:** Yes
- **Special Relationship with Facebook:** Zynga’s Chairman of the Board and former CEO, Mark Pincus, was a founding investor of Facebook. More information is provided in the management section.
- **Additional information:** N/A
- **Targeted RFI Questions:**
 - Has Zynga transferred, made available or otherwise disclosed any Facebook user data, including in anonymous or aggregate form, to any ad network, data broker, or other advertising or monetization-related service?

¹ <https://slate.com/technology/2018/03/farmville-helped-sow-the-seeds-of-the-cambridge-analytica-scandal.html>;
<https://www.nytimes.com/2018/03/19/technology/facebook-data-sharing.html>;

http://www.pcworld.com/article/208267/Zynga_Hit_With_Lawsuit_Over_Facebook_Privacy_Breach.html

² <http://www.igamingbusiness.com/news/zynga-sues-former-employees-over-data-breach>

³ The game was not among the current games listed on Zynga.com as of 11/29/2011, but the exact date it was removed was not identified during the background research.

<https://web.archive.org/web/20111129142824/http://company.zynga.com:80/games/facebook-games>

Exhibit Truncated Due to Size